

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

KHEMRAJ DAVE HARDAT,	:	CIV. NO. 23-2717 (RMB)
	:	
Petitioner	:	
v.	:	MEMORANDUM OPINION
	:	
STEVIE KNIGHT, WARDEN,	:	
FCI FORT DIX,	:	
	:	
Respondent	:	

IT APPEARING THAT:

1. On or about May 19, 2023, Petitioner Khemraj Dave Hardat, a prisoner confined in the Federal Correctional Institution in Fort Dix, New Jersey (“FCI Fort Dix”), filed a petition for writ of habeas corpus under 28 U.S.C. § 2241, alleging he met all statutory criteria for application of First Step Act (“FSA”) Time Credits, but the Bureau of Prisons (“BOP”) refused to apply the credits based on an invalid immigration detainer. (Docket No. 1.)

2. On September 5, 2023, Petitioner filed a motion to dismiss this action as moot, stating he has received the relief sought, application of FSA Time Credits and transfer to a residential reentry center (“RRC”). (Docket No. 11.)

3. On September 6, 2023, Respondent submitted a letter brief acknowledging that the habeas petition is moot because BOP determined Petitioner did not have a final order of removal and applied his earned FSA Time Credits. (Declaration of Christina Clark, Docket No. 10-1, ¶ 6.) Specifically, BOP applied 365 days of FSA Time Credits toward Petitioner’s release date, and Petitioner was

transferred to an RRC on August 31, 2023. (*Id.*, ¶ 5.) Respondent contends the habeas petition is moot because the case no longer presents a live case or controversy. (Docket No. 6.)

3. “If developments occur during the course of adjudication that eliminate a plaintiff’s personal stake in the outcome of a suit or prevent a court from being able to grant the requested relief, the case must be dismissed as moot.” *Blanciak v. Allegheny Ludlum Corp.*, 77 F.3d 690, 698–99 (3d Cir. 1996).

4. Petitioner has received the habeas relief he requested. Therefore, the petition is moot, and the Court will dismiss this matter.

An accompanying Order follows.

DATE: **September 8, 2023**

s/Renée Marie Bumb
RENÉE MARIE BUMB
Chief United States District Judge